

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 IN RE:

5 DEANDRE HAWKINS,

6 Plaintiff.

Case No. 3:21-CV-00383-MMD-CLB

REPORT AND RECOMMENDATION OF
U.S. MAGISTRATE JUDGE¹

7
8 **I. DISCUSSION**

9 On August 26, 2021, Plaintiff DeAndre Hawkins (“Hawkins”) filed an application to
10 proceed *in forma pauperis*, (ECF No. 1), and a blank complaint form, (ECF No. 1-1). Thus,
11 on September 27, 2021, the Court gave Hawkins until October 27, 2021, to submit a
12 complaint. (ECF No. 3.) The Court cautioned Hawkins that failure to timely comply with
13 the order may result in dismissal of the action. (*Id.*) To date, Hawkins has not complied
14 with this Court’s order, as he has not filed a complaint. Accordingly, the Court
15 recommends that Hawkin’s IFP application, (ECF No. 1), be denied, and this action be
16 dismissed, without prejudice, for Hawkin’s failure to comply with this Court’s order to file
17 a complaint with the Court.

18 The parties are advised:

19 1. Pursuant to 28 U.S.C § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules of
20 Practice, the parties may file specific written objections to this report and recommendation
21 within fourteen days of receipt. These objections should be entitled “Objections to
22 Magistrate Judge’s Report and Recommendation” and should be accompanied by points
23 and authorities for consideration by the District Court.

24 2. This report and recommendation is not an appealable order and any notice
25 of appeal pursuant to Fed. R. App. P. 4(a)(1) should not be filed until entry of the District
26 Court’s judgment.

27 ¹ This Report and Recommendation is made to the Honorable Miranda M. Du, United
28 States District Judge. The action was referred to the undersigned Magistrate Judge
pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice IB 1-4.

For the reason stated above, the Court recommends that the District Court enter an order **DENYING** the motion to proceed *in forma pauperis*, (ECF No. 1), and **DISMISSING** this action, without prejudice.


UNITED STATES MAGISTRATE JUDGE